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December 19, 2024

By ECF Filing and Electronic Mail

Hon. Donovan W. Frank
United States District Court for the District of Minnesota
Warren E. Burger Federal Building and U.S. Courthouse
316 North Robert Street, Suite 100
St. Paul, MN 55101
frank_chambers@mnd.uscourts.gov

Re: *In re: Change Healthcare, Inc. Customer Data Sec. Breach Litig.*, MDL No. 0:24-md-03108-DWF-DJF, Coordination with Related State Court Proceedings

Dear Judge Frank:

Pursuant to the Court's request during the Status Conference held on December 16, 2024 for updates concerning the state court cases related to this MDL, Defendants Change Healthcare Inc. ("Change Healthcare"), UnitedHealth Group Incorporated, UnitedHealthcare, Inc., Optum, Inc., and Change Healthcare Solutions, LLC (collectively, "Defendants") write to update the previously provided list of pending state court cases stemming from the February 2024 cyberattack on Change Healthcare. Attached hereto as Appendix A is a chart of all pending state court cases related to this MDL that Defendants are aware of at this time.

In addition, there are a number of cases, detailed below, for which Defendants request additional support from the MDL Court, in order to achieve the greatest coordination possible with the MDL.

1. *Mid-South Imaging & Therapeutics, P.A. v. UnitedHealth Group, Inc., et al.*, No. 24-0723-III (Tenn. Ch. Ct. Davidson Cnty. filed June 21, 2024)

Status:

Defendants filed a Motion to Stay Proceedings Pending Resolution of, or Pertinent Guidance from, Substantially Related Multidistrict Litigation (MDL No. 3108). That Motion to Stay was denied, although the Court directed that discovery should be coordinated with the MDL. On November 20, 2024, Mid-South served Defendants with a first set of discovery requests consisting of 41 requests for production of documents ("RFP"), 60 requests for admission, and five interrogatories per defendant. Many of these discovery requests encompass issues at the heart of the MDL and are not specific to Plaintiff Mid-South.

Defendants respectfully request that the MDL Court continue to communicate with the Honorable Chancellor l'Aesha Myles to coordinate discovery in these matters.

Chancellor:

Hon. l'Aesha L. Myles
1 Public Square, Suite 407
Nashville, TN 37201
Phone: (615) 862-5705
Fax: (423) 272-6233

Plaintiff's Counsel:

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2. *Teed v. Change Healthcare*, No. 24CL015029C (Cal. Super. Ct. San Diego Cnty., filed October 4, 2024)

Status:

The parties stipulated to an extension of time to answer or otherwise respond to the complaint—or to move to stay—until December 3, 2024. In addition, Defendants filed a Notice of Related Case as to *Golden v. Change Healthcare* (No. 3 below), which was granted on November 19, 2024. Change Healthcare filed a motion to stay on December 3, 2024 and a hearing on the motion to stay is set for February 14, 2025. Defendant Change Healthcare respectfully requests that the MDL Court contact the Honorable Judge Judy S. Bae, who is presiding over both *Teed v. Change Healthcare* and *Golden v. Change Healthcare*, to coordinate these matters with the MDL proceedings.

Judge:

Hon. Judy S. Bae
Central Civil Division – Hall of Justice
330 West Broadway,
San Diego, CA 92101
Phone: (619) 450-7062

Plaintiff's Counsel:

Jeremy S. Golden
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3130 Bonita Road, Suite 200B
Chula Vista, CA 91910

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3. *Golden v. Change Healthcare*, No. 24CL015029C (Cal. Super. Ct. San Diego Cnty., filed October 4, 2024)

Status:

As described above, this case has been related to *Teed* (No. 2 above). The parties stipulated to an extension of time to answer or otherwise respond to the complaint—or to move to stay—until December 3, 2024. Change Healthcare filed a motion to stay on December 3, 2024 and a hearing on the motion to stay is set for February 14, 2025. Defendant Change Healthcare respectfully requests that the MDL Court contact the Honorable Judge Judy S. Bae, who is presiding over both *Teed v. Change Healthcare* and *Golden v. Change Healthcare*, to coordinate these matters with the MDL proceedings.

Judge:

Hon. Judy S. Bae
Central Civil Division – Hall of Justice
330 West Broadway,
San Diego, CA 92101
Phone: (619) 450-7062

Plaintiff's Counsel:

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4. *Rehn v. Change Healthcare*, No. 24STLC08355 (Cal. Super. Ct. Los Angeles Cnty., filed November 15, 2024)

Status:

This case is nearly identical to *Teed* (No. 2 above) and *Golden* (No. 3 above), but it was filed in Los Angeles County Superior Court rather than San Diego County Superior Court. Change Healthcare filed a motion to stay on December 17, 2024. Defendant Change Healthcare respectfully requests that the MDL Court contact the Honorable Mark Windham to coordinate this matter with the MDL proceedings.

Judge:

Hon. Mark E. Windham
Spring Street Courthouse
312 North Spring Street
Los Angeles, CA 90012
Phone: (213) 310-7026

Plaintiff's Counsel:

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5. *Lincare Holdings Inc. v. UHG, Inc.*, No. 210144594 (Fla. Circ. Ct. Hillsborough Cnty., filed Nov. 2, 2024)

Status:

Defendants were served on November 19, 2024. Defendants filed a motion to stay on December 6, 2024 and plaintiffs filed a response on December 17, 2024. Defendants respectfully request that the MDL Court contact the Honorable Judge Cheryl Thomas to coordinate this matter with the MDL proceedings.

Judge:

Hon. Cheryl K. Thomas
Edgecomb Courthouse
800 Twiggs Street, Room 525
Tampa, Florida 33602
Phone: (813) 272-6993
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Plaintiff's Counsel:

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6. *Edwards v. Change Healthcare, Inc.*, No. 2SC-24-0600 (Tex. Williamson Just. Ct., Williamson Cnty., filed October 4, 2024)

Status:

Defendant Change Healthcare filed a general answer denying allegations in the complaint on November 4, 2024. The plaintiff filed a motion for summary judgment on December 12, 2024 and a pre-trial hearing has been set for January 9, 2025. Defendant Change Healthcare respectfully requests that the MDL Court contact the Honorable Judge Angela Williams to coordinate this matter with the MDL proceedings.

Judge:

Hon. Angela Williamson
350 Discovery Boulevard
Suite 204
Cedar Park, TX 78613
Phone: (512) 260-4210

Plaintiff's Counsel:

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7. *Bawaney v. Change Healthcare, Inc.*, No. 50-2024-CC-11988-XXA-MB (Fla. Cnty. Ct. Palm Beach Cnty., filed Aug. 13, 2024)

Status:

This case is nearly identical to *Fullwood* (No. 9 below) and brought by the same counsel but in a different court. On October 9, 2024, Change Healthcare filed a Motion to Stay Proceedings Pending Resolution of, or Scheduling Order From, Substantially Related Multidistrict Litigation. This case is subject to a "streamlined track" designation and case management order, and a hearing on the motion to stay has been scheduled for January 23, 2025. Defendant Change Healthcare respectfully requests that the MDL Court contact the Honorable Judge M. Katherine Mullinax to coordinate this matter with the MDL proceedings.

Judge:

Hon. M. Katherine Mullinax
Judge Daniel T.K. Hurley Courthouse
205 North Dixie Hwy.
West Palm Beach, FL 33401
Phone: (561) 355-6158

CAD-DivisionRJ@pbcgov.org

Plaintiff's Counsel:

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8. *Fullwood v. Change Healthcare, Inc.*, No. 2024 CC 004047 CL (Fla. Cnty. Ct. Osceola Cnty., filed Aug. 13, 2024)

Status:

This case is nearly identical to *Bawaney* (No. 8 above) and brought by the same counsel but in a different court. On October 9, 2024, Change Healthcare filed a Motion to Stay Proceedings Pending Resolution of, or Scheduling Order From, Substantially Related Multidistrict Litigation and believes a hearing will be scheduled on that motion shortly. Defendant Change Healthcare respectfully requests that the MDL Court contact the Honorable Judge Gabrielle Sanders-Morency to coordinate this matter with the MDL proceedings.

Judge:

Hon. Gabrielle Sanders-Morency
Jon B. Morgan Osceola County Courthouse
2 Courthouse Square
Kissimmee, Florida 34741
Phone: (407) 742-2495

Plaintiff's Counsel:

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9. *State of Nebraska, ex rel. Michael T. Hilgers, Attorney General v. Change Healthcare Inc., et al.*, No. D02CI240004356 (Lancaster Cnty., filed December 16, 2024)

Status:

On December 16, 2024, this action was filed against Change Healthcare Inc., UnitedHealth Group Incorporated, and Optum, Inc. Service has not yet been effectuated. Defendants respectfully request that the MDL Court contact the Honorable Judge Susan Strong to coordinate this matter with the MDL proceedings.

Judge:

Hon. Susan Strong
575 S 10th Street
Lincoln, NE 68508
Phone: (402) 441-7301
Email: ClerkDistCt@lancaster.ne.gov

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* * *

Sincerely,

/s/ Allison M. Ryan

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cc: Daniel E. Gustafson (Plaintiffs Overall Lead Counsel)
Matthew Sill (Plaintiffs State Court/MDL Liaison Counsel)
David Hodge (Plaintiffs State Court/MDL Liaison Counsel)

Enclosures

Appendix A.

LIST OF STATE COURT CASES FOR COORDINATION

Below is a list of cases stemming from the February 2024 cyberattack on Change Healthcare pending in state courts of which the parties are currently aware.

Case Caption	Case No. and case type	Court	Judge	Status
<i>Mid-South Imaging & Therapeutics, P.A. v. UnitedHealth Group, Inc., et al.</i>	No. 24-0723-III Not a class action.	Tenn. Ch. Ct. Davidson Cnty.	Hon. l'Aesha L. Myles 1 Public Square, Suite 407 Nashville, TN 37201 (615) 862-5705	Stay denied, but the court ordered "some type of coordination" with the MDL. Defendants answered on October 28, 2024, and discovery is underway.
<i>Teed v. Change Healthcare</i>	No. 24CL015029C Not a class action.	Cal. Super. Ct. San Diego Cnty.	Hon. Judy S. Bae Central Civil Division, Hall of Justice 330 West Broadway, San Diego, CA 92101 (619) 450-7062	Motion to stay pending. Hearing on motion to stay set for February 14, 2025.
<i>Golden v. Change Healthcare</i>	No. 24CL015029C Not a class action.	Cal. Super. Ct. San Diego Cnty.	Hon. Judy S. Bae Central Civil Division, Hall of Justice 330 West Broadway, San Diego, CA 92101 (619) 450-7062	Motion to stay pending. Hearing on motion to stay set for February 14, 2025.
<i>Rehn v. Change Healthcare</i>	No. 24STLC08355 Not a class action.	Cal. Super. Ct. Los Angeles Cnty.	Hon. Mark E. Windham Spring Street Courthouse 312 North Spring St Los Angeles, CA 90012 (213) 310-7026	Motion to stay pending.
<i>Lincare Holdings Inc. v. UHG, Inc.</i>	No. 210144594 Not a class action.	Fla. Circ. Ct. Hillsborough Cnty.	Hon. Cheryl K. Thomas Edgecomb Courthouse 800 Twiggs Street, Room 525 Tampa, FL 33602 (813) 272-6993 gencivdiva@fljud13.org	Motion to stay pending.
<i>Edwards v. Change Healthcare, Inc.</i>	No. 2SC-24-0600 Not a class action.	Tex. Williamson Justice Ct., Williamson Cnty.	Hon. Angela Williamson 350 Discovery Boulevard Suite 204 Cedar Park, TX 78613 (512) 260-4210	Answer filed on November 4, 2024. Plaintiff filed motion for summary judgment on December 12.

				Pre-trial hearing set for January 9, 2025. Defendants intend to file a motion to stay.
<i>Bawaney v. Change Healthcare, Inc.</i>	No. 502024 CC 011988 XXX AMB Not a class action.	Fla. Cnty. Ct. Palm Beach Cnty.	Hon. M. Katherine Mullinax Judge Daniel T.K. Hurley Courthouse 205 North Dixie Hwy. West Palm Beach, FL 33401 (561) 355-6158 CAD-DivisionRJ@pbcgov.org	Motion to stay pending. Hearing on motion to stay set for January 23, 2025.
<i>Fullwood v. Change Healthcare, Inc.</i>	No. 2024 CC 004047 CL Not a class action.	Fla. Cnty. Ct. Osceola Cnty.	Hon. Gabrielle Sanders-Morency Jon B. Morgan Osceola County Courthouse 2 Courthouse Square Kissimmee, FL 34741 (407) 742-2495	Motion to stay pending.
<i>Eye Care Associates of Morristown, Inc. v. Change Healthcare, Inc.</i>	No. 24-CV-048 Class action.	Tenn. Cir. Ct. Hamblen Cnty.	Hon. William E. Phillips, II 210 E Main Street Rogersville, TN 37857 (423) 272-7633	Parties to jointly file a status update within 10 days of the MDL court issuing a scheduling order.
<i>Mhrez v. Change Healthcare, Inc.</i>	No. BER-L-004772-24 Class action.	N.J. Super. Ct. Bergen Cnty.	Hon. Nicholas Ostuni Bergen County Justice Center 10 Main Street, Floor 4 Hackensack, NJ 07601 (201) 221-0700, ext. 25599	Service has not been made.
<i>Bollinger v. Washington State Department of Labor & Industries</i>	No. 24-2-12761-5 SEA Class action.	Wash. Super. Ct. King Cnty.	Hon. Tanya L. Thorp c/o King County Superior Court 516 Third Avenue, Room C-203 Seattle, WA 98104 (206) 477-1489 thorp.court@kingcounty.gov	This matter includes allegations related to the cyberattack but does not include Change Healthcare as a defendant. A December 2, 2024 filing stated that the parties have

				reached a settlement agreement in principle.
<i>Enriquez v. Change Healthcare, Inc.</i>	No. 2024SC38950-0 Not a class action.	Fla. Cnty. Ct. Orange Cnty.	Hon. Judge Adam K. McGinnis Orange County Court Building 425 North Orange Avenue, Suite 47 Orlando, FL 32802 (407) 836-2024 70orange@ocnjcc.org	This case was dismissed for plaintiff's failure to appear for a pre-trial hearing and because plaintiff had requested dismissal.
<i>Nebraska v. Change Healthcare, Inc., et al.</i>	No. D02C1240004 356 Not a class action.	Lancaster Cnty.	Hon. Susan Strong 575 S 10th Street Lincoln, NE 68508 (402) 441-7301 ClerkDistCt@lancaster.ne.gov	Service has not been made.